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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/003,085	12/06/2001	Keiichi Hayashi	SON-0522US	5330
21254	7590	01/04/2005		
MCGINN & GIBB, PLLC 8321 OLD COURTHOUSE ROAD SUITE 200 VIENNA, VA 22182-3817			EXAMINER BAUTISTA, XIOMARA L	
			ART UNIT 2179	PAPER NUMBER

DATE MAILED: 01/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N . 10/003,085	Applicant(s) HAYASHI, KEIICHI	
	Examiner X L Bautista	Art Unit 2179	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 10/15/04, with respect to claims 1-12 have been fully considered but they are not persuasive.

A. Applicant argues (page 12, lines 1-2, 14-18) that "Shiraishi discloses an information processing system in which image information is downloaded from a Web server to a personal computer from which the image information is transferred to a portable information terminal equipment."

In response, claim 1 recites (lines 3-4) "an image information acquisition section for downloading image information from a Web server through a communication line to said portable information terminal equipment". Shiraishi teaches a portable computer in which information is downloaded from a Web server through a personal computer (communication line, fig. 5). Shiraishi also discloses that the portable device may be a laptop (fig. 4).

B. Applicant argues (page 13, lines 4-10) that "Shiraishi states that scrolling can be performed by rotational operating of the cursor...Scrolling is not rotating of the display of a controlled image"; and (page 13, lines 18-19) "[t]ilting the display unit is not rotating the display."

In response, Shiraishi explains that known arrangements have had a problem

in the case that the user wears an arm-worn portable device such as a wrist-watch on the arm and attempts to operate the operating unit, in that position specification of the cursor or scrolling on the screen could not be performed well due to the direction in which the device is worn and to the size of the operating unit. With this invention the operating unit is configured so as to be rotatable (image tilt) in the same direction as the scrolling direction so user operability improves.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by *Shiraishi et al* (US 6,621,508 B1).

Claims 1, 7 and 19:

Shiraishi discloses a portable computer (figs. 4, 6; col. 1, lines 12-24) having a browser function (col. 12, lines 28-33; col. 14, lines 10-20); acquiring image information constituted by image data and display sequence information from a web server through a communication line (col. 53, lines 4-7); and storage unit for storing image information (fig. 14; col. 14, lines 1-10); display means for displaying image data (figs. 1-13B; col. 12, lines 6-33).

Claims 2, 8, 14 and 20:

Shiraishi teaches title information of image data (figs. 1-3, 25C); data size and image count (col. 16, lines 38-40; col. 18, lines 66-67; col. 19, lines 1-8); display setting information (col. 14, lines 21-26; col. 20, lines 61-67; col. 21, lines 1-4col. 22, lines 35-52); display sequence information (col. 7, lines 24-38); and controlled image data (col. 23, lines 29-43; col. 24, lines 50-58; col. 25, lines 36-39; col. 26, lines 33-42).

Claims 3, 9, 15 and 21:

Shiraishi teaches display sequence information; start information and information for controlling display of controlled images; and end information (col.

27, lines 24-37; col. 28, lines 42-52; figs. 1-3, 13, 17).

Claims 4, 10, 13, 16 and 22:

See claim 2. Shiraishi teaches timing means for keeping the current time and a second control unit that performs sequential updating processing of the display screen based on the time information based on the time information of the timing means (col. 7, lines 23-33; display image number information; and display position information (col. 7, lines 24-38; col. 17, lines 8-22; col. 18, lines 66-67; col. 19, lines 1-8; col. 20, lines 17-30; col. 27, lines 49-58); deleting information (col. 6, lines 58-67; col. 7, lines 1-6; col. 29, lines 60-64). Shiraishi teaches a virtual cursor that can be moved vertically. Shiraishi explains that known arrangements have had a problem in the case that the user wears an arm-worn portable device such as a wrist-watch on the arm and attempts to operate the operating unit, in that position specification of the cursor or scrolling on the screen could not be performed well due to the direction in which the device is worn and to the size of the operating unit. With this invention the operating unit is configured so as to be rotatable (image tilt) in the same direction as the scrolling direction so user operability improves (figs. 51D-51F, 52A-52C and 53A-53D; col. 14, lines 62-67; col. 15, lines 1-6; col. 37, lines 56-64; col. 38, lines 57-65; col. 39, lines 35-39, 62-65), image inversion function (monochrome inversion), (col. 19, lines 34-46; col. 41, lines 52-57).

Claims 5, 11, 17 and 23:

Shiraishi teaches sound generation (col. 6, lines 58-67; col. 20, lines 61-67; col. 21, lines 1-2).

Claims 6, 12, 18 and 24:

See claim 2. Shiraishi teaches display setting means by making different pieces of image information corresponding to functions for respective operations (col. 30, lines 50-67; figs. 1-3).

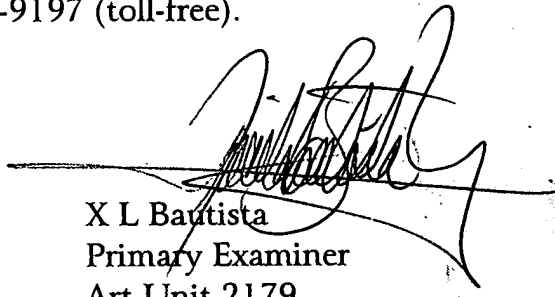
Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to X L Bautista whose telephone number is (571) 272-4132. The examiner can normally be reached on Monday-Thursday 8:00AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on (757) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

6. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



X L Bautista
Primary Examiner
Art Unit 2179

xlb
22 December 2004

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